

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JUSTIN MCKENZIE,

:
Plaintiff,

:
-against-

SUFFOLK COUNTY CORRECTIONAL FACILITY,
VINCENT F. DEMARCO, Suffolk County Sheriff,
CHARLES EWALD, Warden,

:
Defendants.

X

:
ORDER

:
13-CV-2633 (JFB)(GRB)

:
FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ JUL 02 2013 ★

LONG ISLAND OFFICE

BIANCO, District Judge:

On April 24, 2013, the Court received a *pro se* complaint naming eight individual plaintiffs, all of whom, at the time of filing, were incarcerated at the Suffolk County Correctional Facility. By Order to Show Cause (the "Order") dated May 13, 2013 the Court dismissed all plaintiffs with the exception of Justin McKenzie ("McKenzie"), because the allegations in the Complaint were limited to McKenzie, the complaint was signed only by McKenzie and he was the only one who submitted an *in forma pauperis* application in the case. Since McKenzie did not submit the required Prisoner Authorization form at the time he filed his Complaint, the Order also instructed him to submit his PLRA within two weeks of the date of the Order.

To date, Plaintiff has not responded to the Order or otherwise communicated with the Court. Accordingly, Plaintiff's Complaint is dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any

appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

Dated: July 2, 2013
Central Islip, New York

SO ORDERED.

s/ Joseph F. Bianco

JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE